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**Attorneys for Defendant
THE PROCTER & GAMBLE COMPANY**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ROBERT PAYNE and STEVE
BARTILUCCI,

Plaintiffs,

VS.

MENU FOODS, INC., a New Jersey corporation, PETCO ANIMAL SUPPLIES, INC.; a Delaware corporation, SAFEWAY, INC., a Delaware corporation, THE PROCTER & GAMBLE COMPANY, a Ohio corporation, and DOES 1 through 50,

Defendants.

) CASE NO. 07cv0705 JAH(GAB)

) Honorable John A. Houston

**JOINDER IN NOTICE OF REMOVAL
OF ACTION**

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1 Defendant THE PROCTER & GAMBLE COMPANY, hereby joins in MENU
2 FOODS, INC.'s Notice of Removal to this Court of the state court action described in said
3 Notice of Removal.

4 Dated: April 25, 2007

HOWARTH & SMITH

5
6 /s/ Don Howarth
7 Don Howarth

8 Attorneys for Defendant
9 THE PROCTER & GAMBLE COMPANY

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1 **CERTIFICATE OF SERVICE**

2 I certify that on April 25, 2007, I caused the following document:

3 **JOINDER IN NOTICE OF REMOVAL OF ACTION**

4 to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-
5 notice of the electronic filing to the following:

6 **Susan Moriarty Hack at higgslaw.com**

7 I further certify that I caused a copy of the foregoing document and the notice of
8 electronic filing to be mailed by first class mail, postage prepaid, to the following non-ECF
9 participants:

10 **Eric J. Benick, Esq.**
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12 **& SLAVENS, LLP**
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19 **110 Laurel Street**
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21 Dated: April 25, 2007

22 s/Don Howarth

23 Don Howarth